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Attorneys for Plaintiff
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 04-00053 DAE
)	
Plaintiff,)	STIPULATION AND ORDER
)	CONTINUING TRIAL DATE AND
vs.)	EXCLUDING TIME UNDER THE
)	SPEEDY TRIAL ACT
SILVER JOSE GALINDO,)	
(a.k.a. DANIEL S. GALINDO))	
(a.k.a. TIMOTHY MAU))	OLD TRIAL DATE: Oct. 10, 2007
)	NEW TRIAL DATE: Nov. 6, 2007
Defendant.)	
_____)	

STIPULATION CONTINUING TRIAL DATE AND
EXCLUDING TIME UNDER THE SPEEDY TRIAL ACT

A. The United States of America and the Defendant,
SILVER JOSE GALINDO, a.k.a. DANIEL S. GALINDO, a.k.a. TIMOTHY
MAU, through their respective attorneys, hereby agree and
stipulate to continue the trial in this case and to exclude the
time period from October 10, 2007 to November 6, 2007 from
computation under the Speedy Trial Act. While this case was
originally scheduled for October 10, 2007, trial for another case

before this Court is not expected to be completed until November 6, 2007. The reason for the continuance is to allow defense counsel to adequately prepare for trial which includes *inter alia*: the securing and consultation with an expert witness and trial preparation.

B. The parties further agree that the ends of justice served by the continuance outweigh the best interests of the Defendant and the public in a speedy trial, and:

1. The failure to grant such a continuance would be likely to result in a miscarriage of justice.

2. The failure to grant the continuance would unreasonably deny the defendant continuity of counsel and deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

C. The parties further agree that the period of time from October 10, 2007 to and including November 6, 2007, constitutes a period of delay which shall be excluded in computing the time within which the trial in this case must

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commence pursuant to the Speedy Trial Act, 18 U.S.C.

§§ 3161(h)(8)(A) and (h)(8)(B).

DATED: October 10, 2007, at Honolulu, Hawaii.

EDWARD H. KUBO, JR.
United States Attorney
District of Hawaii

By /s/ Darren W. K. Ching
DARREN W. K. CHING
Assistant U.S. Attorney

/s/ Jack Schweigert
JACK SCHWEIGERT, ESQ.
Attorney for Defendant
SILVER JOSE GALINDO,
a.k.a. DANIEL S. GALINDO,
a.k.a. TIMOTHY MAU

ORDER CONTINUING TRIAL AND EXCLUDING SPEEDY TRIAL ACT TIME

The above Stipulation Continuing Trial Date And Excluding Time Under the Speedy Trial Act is hereby approved, and the agreements set forth in paragraphs A, B, and C of the Stipulation are adopted as findings by the court. For the reasons stated, IT IS HEREBY ORDERED:

(1) the jury selection and trial are set for November 6, 2007.

IT IS FURTHER ORDERED that the period of time from October 10, 2007 to and including November 6, 2007, constitutes a period of delay which shall be excluded in computing the time within which the trial in this case must commence pursuant to the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(8)(A) and (h)(8)(B).

DATED October 22, 2007, at Honolulu, Hawaii.





David Alan Ezra
United States District Judge

USA v. SILVER JOSE GALINDO

Cr. No. 04-00053 DAE

"Stipulation and Order Continuing Trial Date and Excluding Time under the Speedy Trial Act"